

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE

Rodney Martinez

v.

Case No. 22-cv-478-AJ

DeMoulas Super Markets, Inc.
d/b/a Market Basket

VERDICT FORM

Question 1: Do you find by a preponderance of the evidence that Defendant Market Basket is liable to Plaintiff Rodney Martinez for failing to promote him because of his age under the ADEA?

Yes ✓

No _____

If you answered "Yes" to Question 1, proceed to Question 2.

If you answered "No" to Question 1, proceed to Question 3.

Question 2: Do you find by a preponderance of the evidence that Defendant Market Basket's failure to promote Plaintiff Rodney Martinez because of his age was willful under the ADEA?

Yes ✓

No _____

Question 3: Do you find by a preponderance of the evidence that Defendant Market Basket is liable to Plaintiff Rodney Martinez for failing to promote him because of his age under RSA 354-A?

Yes ✓

No

If you answered "No" to Question 1 and Question 3, your deliberations are complete. Please have the jury foreperson sign and date this verdict form and notify the court security officer that you have reached a verdict.

If you answered "Yes" to Question 1 and/or Question 3, proceed to the next question.

Question 4: What amount of back pay do you award to Plaintiff Rodney Martinez?

fifty four thousand seven hundred and forty nine
(Please enter the amount in words, not numbers) dollars

Question 5: Excluding back pay, what amount of other compensatory damages, do you award to Plaintiff Rodney Martinez?

Twenty thousand two hundred and fifty one
(Please enter the amount in words, not numbers) dollars

If you entered the amount of “zero” to both Question 4 and Question 5, proceed to Question 6.

If you entered an amount greater than “zero” to Question 4 or Question 5, proceed to Question 7.

Question 6: If you have awarded no back pay and no other compensatory damages to Plaintiff Rodney Martinez on either of his age discrimination claims, then you must award him nominal damages in an amount that may not exceed one dollar. What amount of nominal damages do you award?

(Please enter the amount in words, not numbers)

Question 7: Do you find by a preponderance of the evidence that Defendant Market Basket's failure to promote Plaintiff Rodney Martinez because of his age was willful under RSA 354-A?

Yes ✓

No

If you answered “No” to Question 7, your deliberations are complete. Please have the jury foreperson sign and date this verdict form and notify the court security officer that you have reached a verdict.

If you answered “Yes” to Question 7, proceed to Question 8.

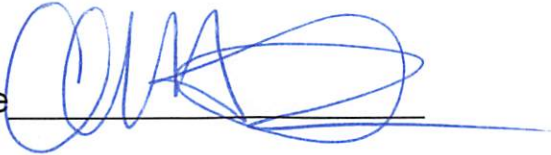
Question 8: What amount of enhanced compensatory damages do you award to Plaintiff Rodney Martinez?

five thousand dollars

(Please enter the amount in words, not numbers)

Date: 3/28/2024

Foreperson's Signature

A handwritten signature in blue ink, consisting of stylized, overlapping loops and a long horizontal stroke extending to the right.